

October 1, 2014

By ECF

Hon. Paul G. Gardephe
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: Lockheed Martin Corporation v. MTA Capital Construction Co. and Metropolitan
Transp. Auth., 09-CV-6033 (PGG) (GWG)

Dear Judge Gardephe:

We write as counsel for the MTA in this action concerning evidentiary objections to exhibits.

As trial is imminent, we write to advise the court that Defendants are now withdrawing objections previously interposed to a large number of Lockheed Martin exhibits, including documents that are essentially Project records and internal MTA communications. An exhibit list to show the withdrawn objections, highlighted in yellow, is attached, along with a clean copy of the revised exhibit list. We respectfully preserve objections to exhibits that are the subject to Defendants' in limine motions even if such exhibits are otherwise included in the list of documents to which are withdrawing our objections.

Respectfully,



Ira J. Lipton

Encls.

cc: Michael Chartan, Esq. (by email)
Adam Friedman, Esq. (by email)